

SAVIOUR MICALF B.E.&A., A.& C.E.

Architect & Civil Engineer

'Thyme' By the Bastion Road, Victoria VCT 2907, Gozo
 Tel: 2155 1046 Fax: 2156 5455 Mobile: 9949 7483 E-mail: micsav@gmail.com

Appeal anthony camilleri

Our Ref: Your Ref:

13 th January 2022

Date: ENVIRONMENT AND PLANNING
 REVIEW TRIBUNAL

The Environment and Planning Review Tribunal
 St Francis Ravelin, Floriana

RECEIVED
 21 JAN 2022

RE: PA No 4720/21
 Locality No. 45, Triq il-Gnien &, Triq l-Imgarr, Ghajnsielem
 Proposal To sanction extensions at back at second floor and at penthouse level.

ST. FRANCIS DITCH
 FLORIANA

I write on behalf of my client, Mr. Anthony Camilleri of 44a "Ave Maria" Garden Street, Ghajnsielem, Gozo and make reference to the Planning Authority decision to refuse the aforementioned application published on the 12th January 2022 (copy attached).

Proposal was refused since the PA decided that:

" The development proposed for sanctioning appears narrow, constrained and inappropriate overlooking Triq L-Imgarr and therefore runs counter to the provisions of policy P26 and G23 of the Development Control Design Policy, Guidance and Standards 2015. The proposal therefore also runs counter to the Urban Objective 3 of the Strategic Plan for Environment and Development which aims to protect and enhance the character and amenity of urban areas."

On behalf of my client, I am hereby submitting an appeal against this decision on the grounds that:

Case history

- The site is a residual plot having a frontage on Garden Street of over 9 m and a secondary frontage of circa 1.5 m on Mgarr Road.
- PA 829/18 consented the development of the site into a basement garage with access from garden street and an overlying block consisting of 3 flats plus a penthouse (1 unit / floor) also having its access from garden street.
- Since the development consists of 1 unit / floor, each unit has a frontage greater than the 4m stipulated in P26 of Dc 15. Hence proposal is not contrary to P26. The narrow frontage on Mgarr road is only an additional secondary frontage.

- Indeed the ground and first floor apartments were already approved in PA 829/18 extending the full depth between the two streets following the recommendation by the planning directorate and without any requests for justification. In fact PA 829/18 was approved under the Summary procedure, which fact in itself is also a confirmation that proposal is not contrary to planning policies.
- The 2nd floor was applied for and ultimately approved setback from Mgarr road and the penthouse setback from both streets.

The Proposal

- Proposal consists of the sanctioning of a small extension at 2nd floor setback over 3 m from Mgarr Road and a minor extension at penthouse setback over 14 m from said road.
- Hence one cannot now justify the refusal saying that "*The development proposed for sanctioning appears narrow, constrained and inappropriate overlooking Triq L-Imgarr*". The ground and first floors are already committed up to Mgarr road and were acceptable. The setback 2nd floor should hence be even more acceptable in view of the setback whilst the penthouse extension is trivial and with a large setback.
- Most importantly we feel that nothing will be gained if the 2nd floor extension is not approved. Indeed when the adjacent properties are developed, the pencil like void and blank party wall effects would be more critical if the requested extensions are not approved.

For these reasons we respectfully ask the Environment and Planning Review Tribunal to overturn the decision and approve the proposed development. Payment of €200 & site plan are attached.



S.Micallef, A&CE